

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Application No.:** 09/045036

**Customer No.:** 22927

**RECEIVED**

**FEB 02 2006**

**Attorney Docket No.:** 97-558

**Date Filed:** March 30, 1998

**Title:** SYSTEM AND METHOD FOR FACILITATING THE  
PLAY OF FRACTIONAL LOTTERY TICKETS  
USING POINT-OF-SALE TERMINALS

**Appellants:** Jay S. Walker and Andrew Van Luchene

**Group Art Unit:** 3622

**Examiner:** STAMBER, Eric W.  
(571) 272-6724 /voice  
(571) 273-8300 /fax

**BOARD OF PATENT APPEALS  
AND INTERFERENCES**

**RECEIVED**  
**FEB 03 2006**  
**GROUP 3600**

**AMENDMENT and RESPONSE**

**under 37 C.F.R. § 50(b)(1) to Re-open Prosecution**

**following the Decision on Appeal mailed November 30, 2005**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner:

In response to the new grounds of rejection in the Decision on Appeal mailed November 30, 2005 (Appeal No. 2005-1570), please consider the following amendment and remarks submitted to avoid termination of the Appeal as to rejected Claims 1 and 25.

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
97-558

In Re Application Of: VAN LUCHENE ET AL.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/045036	March 20, 1998	STAMBER ERIC W	22927	3622	9335

Title: **METHOD AND APPARATUS FOR FACILITATING THE PLAY OF FRACTIONAL LOTTERY TICKETS UTILIZING POINT-OF-SALE TERMINALS**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Amendment & Response Under 37 C.F.R. Sec. 50(b) (1) to Re-Open Prosecution Following the Decision on Appeal mailed November 30, 2005, 17 pp.; and  
Return Receipt Postcard.

**RECEIVED**

FEB 02 2006

in the above identified application.

**BOARD OF PATENT APPEALS  
AND INTERFERENCES**

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 500271 as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Dated: January 30, 2006

Michael D. Downs  
Attorney for Applicants  
PTO Registration No. 50,252  
Walker Digital, LLC  
203.461.7292/phone  
203.461.7018/fax

Mdowns@walkerdigital.com

cc:

**RECEIVED**  
FEB 03 2006  
**GROUP 3600**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

January 30, 2006

  
Date

Signature of Person Mailing Correspondence

Veronika S. Leliever

Typed or Printed Name of Person Mailing Correspondence